

one to each patient on the occasion of his first visit, and it should save many cases for many treatments. In replying, address the Surgeon-General, U. S. Public Health Service.

Sincerely yours,

R. A. VONDERLEHR,
*Assistant Surgeon General,
Division of Venereal Diseases.*

Concerning new edition of "New and Nonofficial Remedies."

(COPY)

AMERICAN MEDICAL ASSOCIATION
COUNCIL ON PHARMACY AND CHEMISTRY

Chicago, June 6, 1938.

To the Editor:—We are forwarding a copy of "New and Nonofficial Remedies," 1938, and a copy of the "Annual Reports of the Council on Pharmacy and Chemistry," 1937, with the compliments of the Council. We trust that these books will be of help to you in your editorial work.

A review of the new edition of "New and Nonofficial Remedies" and of the Council reports in your journal will be appreciated.*

Yours sincerely,

PAUL NICHOLAS LEECH,
Secretary, Council on Pharmacy and Chemistry.

Concerning proposed State Humane Pound Law.

OFFICE OF

DIRECTOR OF PUBLIC HEALTH
CITY AND COUNTY OF SAN FRANCISCO

(COPY)

San Francisco, June 16, 1938.

To the Editor:—For your information I am enclosing copies of correspondence which is self-explanatory. This is sent for your information.

Sincerely,

J. C. GEIGER, M.D., *Director.*

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OFFICE OF

DIRECTOR OF PUBLIC HEALTH
CITY AND COUNTY OF SAN FRANCISCO

(COPY)

June 15, 1938.

Mr. V. Collins, Secretary,
General Volunteer Campaign Committee,
For State Humane Pound Act,
406 Sutter Street, San Francisco.

My Dear Mr. Collins:

I am very much interested in your letter of June 11, addressed to the members of the Woman's Auxiliary to the American Medical Association, in convention now assembled in San Francisco.

Any letter or expression purporting that I am opposed to the use of impounded dogs is a curiosity, indeed, to me. I recall very distinctly several years ago of having made a recommendation at the time a new pound ordinance was under consideration before the Board of Supervisors of the City and County of San Francisco to allocate a number of the animals collected by the pound to the universities for experimental purposes. This recommendation subjected me to extraordinary criticism and threats, and the resultant hearings before the Board of Supervisors were near-riots.

I have gone through our correspondence that occurred at that time with Mr. A. J. Gallagher, a Supervisor of the City and County of San Francisco, who handled the pound ordinance. I am attaching a copy of my letter of August 31, 1932, which was in answer to an attempt by someone to

include in this ordinance a section granting the power of inspection of various laboratories to certain individuals connected with the pound. I think this letter, especially the third paragraph on page two, will definitely indicate to you my feelings accordingly and why my original request for allocation of these animals to research institutions was withdrawn.

In conclusion, I hope in the future you will quote me or the circumstances correctly. Furthermore, I desire to point out that the so-called humane pound law, if passed, would be a detriment to the public health, to scientific medicine and to the control of disease, whether in humans or animals.

Sincerely,

J. C. GEIGER, M.D., *Director.*

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(COPY)

August 31, 1932.

Mr. Andrew J. Gallagher,
Supervisor, City Hall,
San Francisco, California.

My dear Mr. Gallagher:

With reference to our conversation at the Board of Supervisors as to Article 10 on the calendar of the Board for the meetings of August 29, when there was some discussion as to Section 27 of an ordinance providing a public pound, it is my distinct understanding that you requested an opinion from me as an individual as well as the Director of Public Health accordingly. A previously arranged trip with the Public Utilities Commission to Hetch Hetchy, however, will preclude my being present when called again. Likewise, because of the gratuitous insults directed toward me at a previous meeting on animal experimentation perhaps it is just as well that I cannot be present, therefore my opinion is given in writing.

There are two universities and one research institution that may be involved in animal experimentation for scientific purposes in San Francisco, namely, the Medical School of the University of California, Stanford University School of Medicine, and the Hooper Foundation for Medical Research of the University of California.

It is the writer's opinion that to pass Section 27 would grant or serve as an excuse, to many persons, either officially or otherwise, to act as inspectors and annoy legitimate research workers by requesting, and perhaps demanding, search for certain dogs or insisting that the dogs are in the institutions. Moreover, I consider this section entirely antimicrobial and, as an individual and as the Department of Public Health, we vehemently protest it. Furthermore, if anything antimicrobial inimical to animal experimentation upon which much of our modern public health depends comes from a committee officially dedicated to health it would appear to be a travesty on health.

May I point out to you that animal experimentation as a means of promoting human and animal welfare has recently received the sanction of two tribunals of great importance, one in the United States and the other in England. Both decisions tend to brighten the outlook for the protection of medical science against the perpetual warfare that threatens it through bequests for the support in perpetuity of organizations opposed to experiments on animals.

In the American case (Pennsylvania Company for Insurance on Lives and Granting of Annuities, executor of the estate of A. Sidney Logan, deceased, petitioner vs. Commissioner of Internal Revenue, respondent, 25 B. T. A.) the United States Board of Tax Appeals held that a bequest to a society organized for the "total abolition of all vivisection experiments on animals and other experiments of a painful nature" was not a bequest to a corporation organized and operated exclusively for the prevention of cruelty to animals, and that, therefore, the amount of such a bequest could not be deducted from the principal of an estate in computing the federal estate tax. The decision of the Court of Appeal in the English case (*In re Grove-Grady; In re Plowden vs. Lawrence*, 98 L. J., Chr. 261 (1920) 1 Ch. 557, the Law Journal, 71:329 (May 9), 1931, raised the question whether, "in the light of later knowledge in regard to the benefits accruing to mankind for vivisection," bequests designed to hinder and prevent vivi-

* Book reviews appear in this issue in front advertising section, as noted in front cover index, under Miscellaneous.

section would today be regarded as charitable bequests. On appeal, the House of Lords forbade the use for antivivisection propaganda of any part of the legacy concerning which the question was raised. The English decision is of only persuasive influence in the United States, but the changing view suggested by it was with respect to bequests to create trusts to carry on activities against animal experimentation if of vital importance. Unless such trusts can be shown to be charitable in character, they cannot be made to operate in perpetuity.

The decision of the United States Board of Tax Appeals is available. It is a remarkable statement of the value of experimentation, all the more cogent because of the dispassionate, nonmedical, judicial source from which it emanated. The executor of the estate against whom the decision was rendered may appeal to the courts for relief, but a decision by an appellate court would almost certainly do nothing more than strengthen the defense of animal experimentation that the decision affords.

*These cases should be read by all members of your committee, and it is not beyond the writer's belief to assume that the members have not read the communications to the committee from one hundred and fifty leading scientists for animal experimentation. Certainly, the weight of the evidence proves that animal experimentation is of benefit to mankind—to animals, too, for that matter. If animal experimentation is for the benefit of mankind and of animals, bequests to hinder or prevent such experimentation obviously cannot be for the benefit of mankind, and bequests to accomplish that end cannot be charitable bequests. It may be argued that such reasoning is begging the question; that it assumes that the benefits that have been and are being derived from animal experimentation are at best not sufficient to offset the alleged cruelty to such experimentation. The answer is that there is no cruelty associated with animal experimentation that is not within the research of the ordinary laws for the prevention of cruelty to animals. The fact that prosecutions are cruelty in connection with animal experimentation are practically unheard of, despite the vigilance of antivivisectionists, is evidence of the absence of such cruelty. The trouble with the antivivisectionists' reasoning lies in the fact that they fail to distinguish between pain and cruelty and set up their own standards of cruelty, which are not the standards of the law nor the standards of the community.

Probably these two legal decisions represent the general trend of mature and cultured thought on the subject of animal experimentation, when uninfluenced by lurid appeals to the imagination and by appeals to self-interest. Both decisions were based on the orderly presentation of legal evidence, not on such clamorous, virulent, emotional speech-making as commonly fill the air when animal experimentation is discussed before legislative committees. If such committees would limit the presentation of evidence in the same way that it is limited by the courts, their decisions could be relied on to be as sound as the recent decisions of the United States Board of Tax Appeals and the English House of Lords and Court of Appeals. Doubtless, however, in the United States, at least, the political aspects of hearings before legislative committees and the absence of well-defined rules of evidence and procedure will continue too often to render orderly judgment impossible.

Finally, in protesting, may I point out to you and to your committee that, in my original recommendation to the ordinance, several hundred of the many thousand dogs poisoned in the pound each year could be allocated for scientific medical research without offense to the intelligent individuals, it was withdrawn because competent legal advice plainly indicated that neither the Board of Supervisors nor the Department of Public Health had any right in the premises of the Public Pound, as it is a quasi-public institution to which funds are allocated but under a private board privately controlled.

I hope the committee will give due consideration to this protest and, therefore, strike out Section 27 from this ordinance.

Sincerely,

J. C. GEIGER, M.D., *Director.*

* This is the paragraph previously referred to.

Concerning a "syndicated article" on rabies.

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC HEALTH

Los Angeles, June 7, 1938.

To the Editor:—I am also attaching a copy of letter I wrote to the editor of the *Times* regarding an article by Doctor Brady on rabies which appeared in that paper, and reply of the editor. I thought you would be interested in this, as the subject of rabies seems to be a special "pet" of Doctor Brady's.

Very truly yours,

J. L. POMEROY, M.D.,
Los Angeles County Health Officer.

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(COPY)

May 31, 1938.

The Editor,
Los Angeles Times,
First and Spring Streets,
Los Angeles, California.
Dear Sir:

My attention has been called to one of the syndicated articles of Dr. William Brady in one of your columns on April 28, 1938, concerning rabies.

I desire most emphatically to protest the statements of this article, particularly Doctor Brady's direct statement that the Health Department works up a rabies scare to gain publicity for the Department and the insinuation that this publicity is to obtain larger appropriations, etc. As a matter of fact, appropriations made to public health are not based on the number of articles published in any newspaper concerning this disease or any other disease. If this were true we would have all the money we could possibly spend in fighting venereal diseases and tuberculosis which are and have been thoroughly publicized for a considerable length of time. On the contrary, the rabies situation has actually diverted a considerable sum of money from other functions in the Department where it is badly needed, and because of the controversial nature of the work we would be very happy to see rabies disappear from this county. It is a severe liability instead of an asset to the Department. Furthermore, it is a severe liability to the county as a whole because of the unfavorable criticism from cities such as San Francisco, where rabies is practically unknown. Articles such as Doctor Brady's, further, are a total liability so far as the reputation of this county is concerned.

The further statement in this article that Pasteur virus causes some of the grave effects health authorities and some doctors describe in man and that Doctor Brady recommends antitetanus serum in lieu of Pasteur treatment would be ridiculous if it were not for the fact that many people will be misguided and endanger their lives by such treatment. We strongly urge people to ignore such advice. We most strongly insist that every dog bite by an animal suspected of having rabies should be cauterized by a reputable physician, or by a doctor in our Health Centers, with fuming nitric acid, the only substance recognized at the present as being destructive of the rabies virus. Further, the patient should take the Pasteur treatment if it is proved that the dog has rabies.

During the past seventeen months there have occurred in this county, including Los Angeles City, 2,306 cases of positive rabies, including all animals. If these animals suffer from tetanus, as Doctor Brady implies, it is remarkable that no authority of any standing, state, city, or county, has made such a finding. It is remarkable, too, that the many hundreds of human beings who have been treated with the Pasteur treatment all escaped, with but two exceptions, developing the disease. In several instances, valuable lower animals were also saved by the Pasteur treatment. Not a single case of tetanus occurred!

Articles such as contributed by Dr. William Brady on a matter fraught with grave danger to human life should represent established, scientific medical opinion and not armchair speculation. The public is at least entitled to representative medical opinion.

Very truly yours,

J. L. POMEROY, M.D.,
Los Angeles County Health Officer.